

REMARKS

The following is intended as a full and complete response to the Final Office Action mailed on January 29, 2004. Claims 24-39 were examined. The Examiner rejected claims 24-27, 29, 31, 33-36, 38 and 39 under 35 U.S.C. § 102(e) as anticipated by Ventrudo '259. The Examiner rejected claims 28, 30 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Ventrudo '259 in view of Doussierre. The Examiner rejected claim 37 under 35 U.S.C. § 103(a) as being unpatentable over Ventrudo '259 in view of Ventrudo '119.

Rejections under 35 U.S.C. § 102(e)

The Examiner rejected claims 24-27, 29, 31, 33-36, 38 and 39 as anticipated by Ventrudo '259 (U.S. Patent 6,233,259). In response, Applicants respectfully traverse the rejection.

Claim 24 recites the limitations of (i) a laser with a gain curve having a maximum at a wavelength λ_{max} and (ii) an optical reflector having a reflection peak coefficient at a wavelength λ , where λ is at least 10 nm less than the wavelength λ_{max} . By contrast, Ventrudo '259 teaches a grating with a maximum reflectivity within 10 nm of a *laser emission wavelength*, not within 10 nm of a *wavelength* λ_{max} . As set forth below, the wavelength λ_{max} recited in claim 24 is completely different than the laser emission wavelength taught in Ventrudo '259.

The specification clearly defines the wavelength λ_{max} to be the wavelength at which the gain curve of the laser peaks (see, e.g., p. 4, lines 10-15). Ventrudo '259, however, is completely silent regarding the wavelength λ_{max} at which the gain curve of a laser peaks and does not disclose any application of the wavelength λ_{max} . In fact, the only teaching of Ventrudo '259 is that of a laser that emits light in a wavelength range of 965-1025 nm. This wavelength range is dependent on several factors, including the gain curve of the laser, losses of the laser, and axial modes of a cavity of the laser, and therefore is not the same as the specific wavelength λ_{max} at

which the gain curve of the laser peaks. More particularly, the laser emission wavelength taught by Ventrudo '259 refers to the wavelength emitted by the laser when an axial mode of the laser cavity is within the gain curve of the laser such that lasing is able to occur, not the wavelength at which the gain curve of the laser peaks. For these reasons, the laser emission wavelength taught in Ventrudo '259 is not the same as the wavelength λ_{max} recited in claim 24. Ventrudo '259 therefore cannot anticipate claim 24. Thus, Applicants submit that claim 24 and claims 25-27, 29, 31, 33-36, 38 and 39 dependent thereon are in condition for allowance and respectfully request withdrawal of the § 102(e) rejection of these claims.

Rejections under 35 U.S.C. § 103(a)

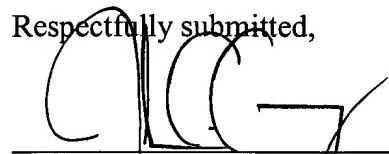
The Examiner rejected claims 28, 30 and 32 as being unpatentable over Ventrudo '259 in view of Doussierre (U.S. Patent 5,717,711), and the Examiner rejected claims 37 as being unpatentable over Ventrudo '259 in view of Ventrudo '119 (U.S. Patent 6,240,119). In response, Applicants respectfully traverse the rejection.

Applicants respectfully submit that claim 28, 30, 32 and 37 are patentable over the cited references based at least on the traversal described above with respect to claim 24, upon which these claims depend. Specifically, neither Ventrudo '259, Doussierre, nor Ventrudo '119 teaches a gain curve having a maximum at a wavelength λ_{max} and an optical reflector having a reflection peak coefficient at a wavelength λ , where λ is at least 10 nm less than the wavelength λ_{max} . Therefore, Ventrudo '259, Doussierre, and/or Ventrudo '119, either alone or in combination, cannot render any of claims 28, 30, 32 and 37 obvious. Thus, Applicants respectfully request withdrawal of the § 103(a) rejections and allowance of these claims.

Conclusion

Based on the above remarks, Applicants believe that they have overcome all of the rejections set forth in the Final Office Action mailed January 29, 2004 and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,



John C. Carey
Registration No. 51,530
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, Texas 77056-6582
Telephone: (650) 330-2310
Facsimile: (650) 330-2314